

Amendment No. 1 to HB2864

Keisling
Signature of Sponsor

AMEND Senate Bill No. 2889

House Bill No. 2864*

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 8-44-108(a)(1), is amended by deleting the subdivision and substituting instead:

(1) "Governing body" means the governing body of a board, agency, or commission of state government, including state debt issuers;

SECTION 2. Tennessee Code Annotated, Section 8-44-108(a), is amended by adding the following as a new subdivision:

() "Electronic means of communication" means communication by video conference or audio conference and may include the use of an internet-based platform, but does not include email;

SECTION 3. Tennessee Code Annotated, Section 8-44-108(c), is amended by deleting subdivision (2) and inserting the following subdivisions and renumbering the subsequent subdivisions accordingly:

(2) If a meeting will be conducted permitting participation by members by electronic means of communication, then the governing body shall allow members of the public who are not in attendance at the physical location of the meeting to:

(A)

(i) View and listen to the meeting by electronic means in real time, if the meeting is conducted using video conference; or

(ii) Listen to the meeting by electronic means in real time, if the meeting is conducted with audio only with no video; and

(B) Participate or provide comment by electronic means of communication, if participation or public comment would normally be allowed at the meeting.

(3) A notice required by this part or other law and the agenda for the meeting must:

(A) State that the meeting will include members of the governing body who are participating by electronic means of communication;

(B) Contain information necessary for members of the public to access the meeting by electronic means to view or listen; and

(C) Contain instructions on how to provide public comment by electronic means of communication, which may include contacting the governing body or registering in advance to receive information enabling a person to provide public comment by electronic means. This subdivision (c)(3)(C) does not require a governing body to allow public comment as part of its meetings or alter its rules for public comment or public participation in a meeting.

(4) A governing body that conducts a meeting allowing participation by electronic means of communication shall make a recording of the meeting, and post the recording or a link to the recording on its website that contains information about the governing body and its meetings. The governing body shall post the recording or link to the recording as soon as possible but no later than three (3) business days after the meeting. The governing body shall retain the recording or link for at least three (3) years after the recording was created.

SECTION 4. Tennessee Code Annotated, Section 8-44-108(d), is amended by deleting the last sentence of the subsection and substituting instead:

Subdivisions (c)(1)-(6) apply to meetings held pursuant to this subsection (d).

SECTION 5. This act takes effect July 1, 2022, the public welfare requiring it.